

**REMARKS**

I. Overview

These remarks are set forth in response to the New Non-Final Office Action. As this amendment has been timely filed within the three-month shortened statutory period, neither an extension of time nor a fee is required. At the time of the New Non-Final Office Action, Claims 1 through 5 were pending and rejected in this application. In the Non-Final Office Action, claims 1 through 5 have been rejected under the judicially created doctrine of obviousness type double patenting over U.S. Patent No 7,062,709 to Cheung et al. (Cheung). In response, Applicants submit herewith a duly executed terminal disclaimer with respect to Cheung. This entire application is now believed to be in condition for allowance and such action is respectfully requested. The Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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